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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/692,435	10/23/2003	Brandon Vaughn Taylor	MSFT-2571/302767.1	8406
41505 7590 06/07/2007 WOODCOCK WASHBURN LLP (MICROSOFT CORPORATION) CIRA CENTRE, 12TH FLOOR 2929 ARCH STREET PHILADELPHIA, PA 19104-2891			EXAMINER LAI, MICHAEL C	
			ART UNIT 2109	PAPER NUMBER
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/692,435

Applicant(s)

TAYLOR ET AL.

Examiner

Michael C. Lai

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 23 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date: \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Priority***

This application has no priority claim made. The filing date is 10/23/2003.

### ***Information Disclosure Statement***

1. The information disclosure statements (IDS) submitted on both 23 October 2003 and 1 May 2006 were filed on or after the mailing date of the instant application on 23 October 2003. The submissions are in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statements are being considered by the examiner.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-2, 18-19 and 26 are rejected under 35 U.S.C. 102(b) as being anticipated by Roccetti et al. ("The structuring of a wireless internet application for a music-on-demand service on UMST devices", March 2002, ACM Press), hereinafter referred to as Roccetti.

4. Regarding claim 1, Roccetti discloses a method for distributing content over a communications network, comprising:

generating a list of accessible content available at a server, the content having been provided by a first party ("top-10 service", page 1069, column 1, paragraph 1);

providing the list to a device associated with the first party ("top-10 service", page 1069, paragraph 1);

receiving, at the device, a selection of accessible content from the list ("top-10 service", page 1069, paragraph 1);

transmitting the selection to the server (download session, page 1068, column 2, paragraph 2);

retrieving the selected content from storage associated with the server (download session, page 1068, column 2, paragraph 2); and  
electronically transmitting the retrieved content to a designated device (download session, page 1068, column 2, paragraph 2).

5. Regarding claim 2, Roccetti further discloses receiving a request for content distribution from the device, prior to generating the list (download session, page 1068, column 2, paragraph 2).

6. Regarding claim 18, Roccetti discloses a system for distributing content to a designated device, comprising:

a device that can receive and provide a listing of content (page 1068, Fig. 1 and column 1, paragraph 1);

a server with an associated storage device, the storage device maintaining content that had been previously provided by a first party

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associated with the device to the storage, the server generating the listing of content to the device, providing the listing to the device, receiving a selection of content from the device, retrieving the selected content, and electronically transmitting the selected content to the designated device (page 1068, Fig. 1 and column 1, paragraph 1); and

a communications network between the device and the server (page 1068, Fig. 1 and column 1, paragraph 1).

7. Regarding claim 19, Roccetti further discloses receiving a request for content distribution from the device, prior to generating the list (download session, page 1068, column 2, paragraph 2).

8. Regarding claim 26, Roccetti further discloses the communications network is the internet (page 1068, Fig. 1).

***Claim Rejections - 35 USC § 103***

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 3-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Roccetti in view of K. Chen et al. (US 2004/0044731 A1), hereinafter referred to as K. Chen.

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11. Regarding claims 3-4, Roccetti doesn't disclose any authentication method using the login information. However, K. Chen discloses a method of authenticating the device, prior to generating the list (page 12, paragraph 0091) and receiving login information at the device, and transmitting the login information to the server, wherein authenticating the device comprises authenticating the login information (page 12, paragraphs 0092 and 0093). Roccetti does mention that security issues have not been addressed and will be their future research topic (page 1073, paragraph 3). Therefore, it would have been obvious to one of ordinary skill in the art to incorporate the authentication method taught by K. Chen into the system of Roccetti at the time of the invention to address authentication issues using the login information to enhance the security of Roccetti's system.

12. Claims 5-8 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Roccetti in view of Langseth et al. (US 6,671,715 B1), hereinafter referred to as Langseth.

13. Regarding to claims 5-6, Roccetti doesn't disclose the use of a phone number, fax number, or address for the designated device for transmitting the content. However, Langseth discloses a method that allows the subscriber to specify the output to be delivered to at least one of an electronic mailbox, facsimile, mobile phone, telephone, PDA, WAP device, and pager (claim 13). Langseth also discloses a method of delivering the resulting content to the received phone number or address (column 3, lines 40-47). It would have been obvious to one of ordinary skill in the art to incorporate the teaching of Langseth into the system of Roccetti at the time of the invention to

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receive a phone number, fax number, or address for the designated device, prior to electronically transmitting the content, and electronically transmitting the content to the designated device comprises electronically transmitting the content to the received phone number or address. The motivation to incorporate the teaching of Langseth into Roccetti's system would be to enable Roccetti's system to transmit the content to specified destination/device.

14. Regarding to claim 7, Roccetti doesn't disclose receiving and displaying the list on the browser of the device. However, Langseth further discloses the device comprises a browser, further comprising receiving and displaying the list on the browser of the device (column 9, lines 20-25). It would have been obvious to one of ordinary skill in the art to incorporate the teaching of Langseth into the system of Roccetti at the time of the invention to receive and display the list on the browser of the device. The motivation to incorporate the teaching of Langseth into Roccetti's system would be to take advantage of easy use of the web browser for user interface.

15. Regarding to claim 8, Roccetti doesn't disclose faxing in his system. However, Langseth further discloses electronically transmitting comprises faxing (column 9, lines 20-25). It would have been obvious to one of ordinary skill in the art to incorporate the teaching of Langseth into the system of Roccetti at the time of the invention to include faxing. The motivation to incorporate the teaching of Langseth into Roccetti's system would be to enable Roccetti's system to deliver the content in yet another way to the user.

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16. Regarding to claim 11, Roccetti doesn't disclose wherein electronically transmitting comprises sending the retrieved content to a fax service provider, the fax service provider electronically sending the retrieved content to the designated device. However, Langseth discloses electronically transmitting comprises faxing (column 9, lines 20-25). Langseth inherently discloses wherein electronically transmitting comprises sending the retrieved content to a fax service provider, the fax service provider electronically sending the retrieved content to the designated device. The motivation to incorporate the teaching of Langseth into Roccetti's system would be to enable Roccetti's system to deliver the content in yet another way to the user.

17. Claims 9 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Roccetti in view of Y. Chen et al. ("iMobile EE: an enterprise mobile service platform", July 2003, Kluwer Academic Publishers, Volume 9 , Issue 4), hereinafter referred to as Y. Chen.

18. Regarding to claim 9, Roccetti doesn't disclose electronically transmitting comprises instant messaging. However, Y. Chen discloses Instant Messaging gateway for transmitting messages (page 286, column 2, paragraph 1). It would have been obvious to one of ordinary skill in the art to incorporate the teaching of Y. Chen into the system of Roccetti at the time of the invention to electronically transmit the content via instant messaging. The motivation to incorporate the teaching of Y. Chen into Roccetti's system would be to enable Roccetti's system to deliver the content in yet another popular way to the user.



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19. Regarding to Claim 12, Roccetti doesn't disclose publicly accessible devices. However, Y. Chen discloses the public internet (e.g., from an internet café) and public workstations (page 290, column 2, paragraph 4). It would have been obvious to one of ordinary skill in the art to incorporate the teaching of Y. Chen into the system of Roccetti at the time of the invention to further comprise providing the device so that it is publicly accessible. The motivation to incorporate the teaching of Y. Chen into Roccetti's system would be to enable Roccetti's system to be accessible to more people.

20. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Roccetti and the Applicant's admitted prior art. Roccetti doesn't disclose wherein electronically transmitting comprises fax over IP. However, fax over IP is well known in the art as admitted by the applicant (paragraph 0003). It would have been obvious to one of ordinary skill in the art to use fax over IP to do electronically transmitting contents. The motivation would be that fax over IP is cheaper than traditional faxing.

21. Claims 13-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Roccetti in view of K. Chen.

22. Regarding to claim 13, Roccetti discloses a method for initiating the electronic distribution of content over a communications network, comprising:

generating a list of accessible content available at a server, the content having been provided by a first party associated with the device ("top-10 service", page 1069, column 1, paragraph 1);

providing the list to the device ("top-10 service", page 1069, paragraph 1);

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receiving, at the device, a selection of accessible content from the list ("top-10 service", page 1069, paragraph 1);

transmitting the selection to the server (download session, page 1068, column 2, paragraph 2); and

retrieving the selected content from storage associated with the server (download session, page 1068, column 2, paragraph 2).

Rocchetti doesn't disclose login information and authentication. However, K.

Chen discloses a method of:

providing login information to a device (page 12, paragraph 0092);

transmitting the login information to a server (page 12, paragraph 0092);

authenticating the login information at the server (page 12, paragraph 0091);

Rocchetti does mention that security issues have not been addressed and will be their future research topic (page 1073, paragraph 3). Therefore, it would have been obvious to one of ordinary skill in the art to incorporate the teaching of K. Chen into the system of Rocchetti at the time of the invention to provide a method for initiating the electronic distribution of content over a communications network as described above. The motivation is to enhance the security of Rocchetti's system.

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23. Regarding to claim 14, Roccetti further discloses receiving a request for content distribution from the device, prior to generating the list (download session, page 1068, column 2, paragraph 2)..

24. Claims 15-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Roccetti and K. Chen as applied to claim 13 above, and further in view of Langseth.

25. Regarding to claim 15, Roccetti and K. Chen don't disclose the use of a phone number, fax number, or address for the designated device for transmitting the content. However, Langseth discloses a method that allows the subscriber to specify the output to be delivered to at least one of an electronic mailbox, facsimile, mobile phone, telephone, PDA, WAP device, and pager (claim 13). It would have been obvious to one of ordinary skill in the art to incorporate the teaching of Langseth into the system of Roccetti and K. Chen at the time of the invention to receive a phone number, fax number, or address for the designated device, prior to electronically transmitting the content, and electronically transmitting the content to the designated device comprises electronically transmitting the content to the received phone number or address. The motivation would be to enable Roccetti's and K. Chen's system to transmit the content to specified destination/device.

26. Regarding to claim 16, Roccetti and K. Chen don't disclose receiving and displaying the list on the browser of the device. However, Langseth further discloses the device comprises a browser, further comprising receiving and displaying the list on the browser of the device (column 9, lines 20-25). It would have been obvious to one of ordinary skill in the art to incorporate the teaching of Langseth into the system of

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Rocchetti and K. Chen at the time of the invention to receive and display the list on the browser of the device. The motivation to incorporate the teaching of Langseth into Rocchetti's and K. Chen's system would be to take advantage of easy use of the web browser for user interface.

27. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rocchetti and K. Chen as applied to claim 13 above, and further in view of Y. Chen.

28. Regarding to Claim 17, Rocchetti and K. Chen don't disclose publicly accessible devices. However, Y. Chen discloses the public internet (e.g., from an internet café) and public workstations (page 290, column 2, paragraph 4). It would have been obvious to one of ordinary skill in the art to incorporate the teaching of Y. Chen into the system of Rocchetti and K. Chen at the time of the invention to further comprise providing the device so that it is publicly accessible. The motivation to incorporate the teaching of Langseth into Rocchetti's and K. Chen's system would be to enable Rocchetti's and K. Chen's system to be accessible to more people.

29. Claims 20-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rocchetti in view of K. Chen.

30. Regarding claims 20-21, Rocchetti doesn't disclose any authentication method using the login information. However, K. Chen discloses a method of authenticating the device, prior to generating the list (page 12, paragraph 0091) and receiving login information at the device, and transmitting the login information to the server, wherein authenticating the device comprises authenticating the login information (page 12, paragraphs 0092 and 0093). Rocchetti does mention that security issues have not been

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addressed and will be their future research topic (page 1073, paragraph 3). Therefore, it would have been obvious to one of ordinary skill in the art to incorporate the teaching of K. Chen into the system of Roccetti at the time of the invention to address authentication issues using the login information in order to enhance the security of Roccetti's system.

31. Claims 22-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Roccetti in view of Langseth.

32. Regarding to claim 22, Roccetti doesn't disclose the use of a phone number, fax number, or address for the designated device for transmitting the content. However, Langseth discloses a method that allows the subscriber to specify the output to be delivered to at least one of an electronic mailbox, facsimile, mobile phone, telephone, PDA, WAP device, and pager (claim 13). It would have been obvious to one of ordinary skill in the art to incorporate the teaching of Langseth into the system of Roccetti at the time of the invention to receive a phone number, fax number, or address for the designated device, prior to electronically transmitting the content, and electronically transmitting the content to the designated device comprises electronically transmitting the content to the received phone number or address. The motivation to incorporate the teaching of Langseth into Roccetti's system would be to enable Roccetti's system to transmit the content to specified destination/device.

33. Regarding to claim 23, Roccetti doesn't disclose receiving and displaying the list on the browser of the device. However, Langseth further discloses the device comprises a browser, further comprising receiving and displaying the list on the browser

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of the device (column 9, lines 20-25). It would have been obvious to one of ordinary skill in the art to incorporate the teaching of Langseth into the system of Roccetti at the time of the invention to receive and display the list on the browser of the device. The motivation to incorporate the teaching of Langseth into Roccetti's system would be to take advantage of easy use of the web browser for user interface.

34. Regarding to claim 24, Roccetti doesn't disclose wherein electronically transmitting comprises sending the retrieved content to a fax service provider, the fax service provider electronically sending the retrieved content to the designated device. However, Langseth discloses electronically transmitting comprises faxing (column 9, lines 20-25). Langseth inherently discloses wherein electronically transmitting comprises sending the retrieved content to a fax service provider, the fax service provider electronically sending the retrieved content to the designated device. It would have been obvious to one of ordinary skill in the art to incorporate the teaching of Langseth into the system of Roccetti at the time of the invention for sending the retrieved content to a fax service provider, the fax service provider electronically sending the retrieved content to the designated device. The motivation to incorporate the teaching of Langseth into Roccetti's system would be to enable Roccetti's system to deliver the content in yet another way to the user.

35. Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Roccetti in view of Y. Chen.

36. Regarding to Claim 25, Roccetti doesn't disclose publicly accessible devices. However, Y. Chen discloses the public internet (e.g., from an internet café) and public

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workstations (page 290, column 2, paragraph 4). It would have been obvious to one of ordinary skill in the art to incorporate the teaching of Y. Chen into the system of Roccetti at the time of the invention to further comprise providing the device so that it is publicly accessible. The motivation would be to enable Roccetti's system to be accessible to more people.

37. Claims 27-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Roccetti in view of Wright et al. (US 6,442,598 B1), hereinafter referred to as Wright.

38. Regarding to claim 27, Roccetti doesn't disclose the communications network is a LAN or WAN. However, LAN and WAN are well known in the art as taught by Wright. Wright discloses LAN or WAN as a network medium for content distribution (column 5, line 61 – column 6, line3). It would have been obvious to one of ordinary skill in the art to incorporate the feature of LAN or WAN as the communication network taught by Wright into the system of Roccetti at the time of the invention to enable Roccetti's system to distribute content in both Local Area Network and Wide Area Network.

39. Regarding to claim 28, Roccetti discloses data as part of the content, but does not disclose that content also comprises documents or pictures. However, Wright discloses the content includes documents (column 7, lines 44-52) and pictures (column 1, lines 35-46). Therefore, it would have been obvious to one of ordinary skill in the art to incorporate the teaching of Wright into the system of Roccetti at the time of the invention to further disclose that the content comprises at least one of documents, pictures, and data, with the motivation being to enable Roccetti's system to distribute different types of content.

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**Conclusion**

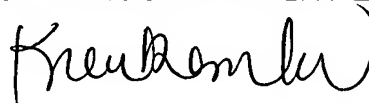
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael C. Lai whose telephone number is (571) 270-3236. The examiner can normally be reached on M-F 7:30 - 5:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marvin Lateef can be reached on (571) 272-5026. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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04JUNE2007

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